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United States District Court
for
the District of Nevada

PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION

Name of Offender: **Frayne Charleston Lee**

Case Number: **2:20CR00215**

Name of Sentencing Judicial Officer: **Honorable David G. Campbell**

Date of Original Sentence: **May 2, 2013**

Original Offense: **Ct. 2 and 4: Crime on an Indian Reservation, Assault Resulting in Serious Bodily Injury**

Original Sentence: **46 Months prison, followed by 36 Months TSR.**

Date of Prior Revocation: **December 5, 2019**

Revocation Sentence: **Total of 6 months custody, 24-month Term of Supervised Release**

Date Supervision Commenced: **March 26, 2020**

Date Jurisdiction Transferred to District of Nevada: **September 4, 2020**

Name of Assigned Judicial Officer: **Honorable Richard F. Boulware**

PETITIONING THE COURT

☒ To issue a warrant.

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Shall Not Commit Crime** - The defendant shall not commit another federal state or local crime.

On July 26, 2020, the defendant committed the offense Battery Constituting Domestic Violence, First Offense, Misdemeanor, in violation of N.R.S. 200.485. Henderson Municipal Court, Case Number 20CR005074. On September 2, 2020, a warrant for the

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defendant's arrest was issued in this case due to his Failure to Appear and remains outstanding.

According to a Henderson City Police report, on July 26, 2020, officers were summoned to a local address regarding a domestic battery complaint. During the police investigation, Lee told police he got into an argument with his girlfriend about "cheating." Because she would not give him his cellular phone, he pushed her to the ground. He then cut his right hand as a result of punching a table.

The defendant's girlfriend told police that Lee got angry and threw the phone at her. He then gave her a "right-hand upper cut" to her lip. Their children, who witnessed this encounter, ran from the residence and were screaming. As the defendant prevented his girlfriend from leaving in her vehicle, he knocked her to the ground and kicked her in the back of the head. As she was able to stand to her feet and begin to walk away, she yelled for somebody to help. A neighbor who heard the commotion went outside of his/her residence and called the police. Police noted the defendant's girlfriend had a swollen bottom lip and blood behind her left ear.

2. **Refrain From Unlawful Use of Controlled Substance** - The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually. Revocation is mandatory for refusal to comply.

The defendant failed to appear for drug testing on the following dates:

August 11, 2020
August 18, 2020
August 27, 2020,
September 4, 2020
September 10, 2020
September 18, 2020
September 21, 2020
October 5, 2020
October 9, 2020
October 19, 2020
October 22, 2020
November 8, 2020

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3. **Submit Monthly Report** - The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

The defendant has not submitted Monthly Supervision Reports for the following months:
July 2020, August 2020, September 2020, October 2020.

U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked

I declare under penalty of perjury that the
information contained herein is true and correct,

Executed on **November 13, 2020**

Digitally signed by

Brian Blevins

Date: 2020.11.17

08:37:50 -08'00'

Brian Blevins

Supervisory United States Probation Officer

Approved:



Digitally signed by

Todd Fredlund

Date: 2020.11.17

08:35:15 -08'00'

Todd Fredlund

Supervisory United States Probation Officer

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THE COURT ORDERS

- ☐ No Action.
- ☒ The issuance of a warrant.
- ☐ The issuance of a summons.
- ☐ Other:



RICHARD F. BOULWARE, II
United States District Judge

November 18, 2020
Date

RE: Frayne Charleston Lee

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**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. FRAYNE CHARLESTON LEE, 2:20CR00215**

**SUMMARY IN SUPPORT OF PETITION FOR WARRANT
November 13, 2020**

By way of case history, Frayne Charleston Lee was sentenced on May 17, 2013, in the District of Arizona, to 46 months custody, followed by a three-year Term of Supervised Release for having committed the offenses of Counts 2 and 4: Crime on an Indian Reservation, Assault Resulting in Serious Bodily Injury, each a Class C Felony.

On December 5, 2019, Lee's supervision was revoked, and he was sentenced to a term of six (6) months custody, followed by a 24-month Term of Supervised Release.

Supervision commenced in the District of Nevada on March 26, 2020, and on September 4, 2020, Your Honor accepted jurisdiction of this case.

According to a Henderson City Police report, on July 26, 2020, officers were summoned to a local address regarding a domestic battery complaint. During the police investigation, Lee told police he got into an argument with his girlfriend about "cheating." Because she would not give him his cellular phone, he pushed her to the ground. He then cut his right hand as a result of punching a table.

The defendant's girlfriend told police that Lee got angry and threw the phone at her. He then gave her a "right-hand upper cut" to her lip. Their children, who witnessed this encounter, ran from the residence and were screaming. As the defendant prevented his girlfriend from leaving in her vehicle, he knocked her to the ground and kicked her in the back of the head. As she was able to stand to her feet and begin to walk away, she yelled for somebody to help. A neighbor who heard the commotion went outside of his/her residence and called the police. Police noted the defendant's girlfriend had a swollen bottom lip and blood behind her left ear.

At the conclusion of the investigation, as police determined the defendant was the primary aggressor, they placed him under arrest and transported him to the Henderson Detention Center where he was booked for the offense of Battery Constituting Domestic Violence, First Offense, a Misdemeanor. Henderson Municipal Court, Case Number 20CR005074. On September 2, 2020, a warrant for Lee's arrest was issued in this state case due to his Failure to Appear; this warrant remains outstanding. The state docket in this case indicates a postcard was mailed by the Court to the defendant on September 3, 2020, notifying him of this warrant. However, it appears this postcard was returned to the Court on September 30, 2020.

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As noted in allegation 2 above, the defendant has failed to appear for 12 scheduled drug tests between August 11, 2020 and November 8, 2020. He was removed from testing on November 13, 2020.

As noted in Allegation 3 above, the defendant has failed to submit Monthly Supervision Reports for the months of July 2020, August 2020, September 2020, and October 2020.

Attempts to telephonically contact the defendant and his girlfriend took place on November 13, 2020; September 4, 2020; and August 24, 2020. Their phones rang successfully but were unable to record a voicemail. Emails were also sent to the defendant September 4, 2020 and August 24, 2020, ordering him to contact probation, to no avail.

In conclusion, it strongly appears the defendant, Frayne Charleston Lee, has absconded from supervision. Based upon the allegations to include a state issued warrant for his failure to appear for a new criminal charge, it is respectfully recommended a warrant for his arrest be issued to initiate revocation proceedings.

Respectfully submitted,



Digitally signed
by Brian Blevins
Date: 2020.11.17
08:37:26 -08'00'

Brian Blevins
Supervisory United States Probation Officer

Approved:



Digitally signed by Todd
Fredlund
Date: 2020.11.17
08:35:38 -08'00'

Todd Fredlund
Supervisory United States Probation Officer